

ORIGINAL
COMTEL TELCOM ASSETS LP



0000064336

RECEIVED

2802

2006 DEC -8 A 10:44

December 7, 2006

AZ CORP COMMISSION
DOCUMENT CONTROL

VIA OVERNIGHT DELIVERY

Docket Control Center
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

Re: Tariffing and Notice Requirements for Combined Interstate and Intrastate Calling Plans
Docket No. 02-00000J-05-0329

Dear Sir or Madam:

Transmitted herewith on behalf of Comtel Telcom Assets LP ("Comtel") are an original and thirteen (13) copies of the Company's response to the Second Set of Universal Data Requests in the above-referenced matter. The Company appreciates the additional time allowed for this response.

Thank you for your time and consideration regarding this matter. If you have any questions regarding this filing, please contact the undersigned at (972) 910-1411, Leslie.Ellis@excel.com or at the Company's principal address.

Respectfully submitted,

Leslie Ellis
Senior Regulatory Analyst

Arizona Corporation Commission
DOCKETED
DEC -8 2006

Enclosures

cc: Becky Gipson
Senior Director, Regulatory Affairs

DOCKETED BY	
-------------	--

**ARIZONA CORPORATION COMMISSION
STAFF'S SECOND SET OF UNIVERSAL DATA REQUESTS TO
TELECOMMUNICATIONS COMPANIES HOLDING CC&N'S IN ARIZONA AS
INTER-EXCHANGE CARRIERS, RESELLERS OF LONG DISTANCE, AND/OR
INCUMBENT LONG DISTANCE**

**TARIFFING AND NOTICE REQUIREMENTS FOR
COMBINED INTERSTATE AND INTRASTATE CALLING PLANS
(GENERIC INVESTIGATION AND RULEMAKING)**

DOCKET NO. T-00000J-05-0329

**RESPONSE OF COMTEL TELCOM ASSETS LP DBA
VARTEC TELECOM AND EXCEL TELECOMMUNICATIONS**

STAFF 2.1 Is it permissible under Arizona Rules and Statutes for an interexchange carrier to impose surcharges that pertain to both interstate and intrastate long distance calls but not to include those surcharges in the intrastate Arizona tariff filed with the Arizona Corporation Commission? Please explain your answer in detail.

The Company needs additional information regarding the nature of the surcharge in order to answer this question.

Provided by: Leslie Ellis, Senior Regulatory Analyst
433 East Las Colinas Boulevard, Suite 1300
Irving, Texas 75039-5508

STAFF 2.2 How should A.A.C. R14-2-1106(B)(4), A.A.C. R14-2-1109, and A.A.C. R14-2-1110 be interpreted with respect to charges for intrastate and interstate services provided in conjunction with each other? For example, a surcharge that applies regardless of which type (intrastate or interstate) of calls are actually made.

Interpretation of these rules will require a detailed legal analysis and conclusions. As such, the Company does not have a response to this question at this time.

Provided by: Leslie Ellis, Senior Regulatory Analyst
433 East Las Colinas Boulevard, Suite 1300
Irving, Texas 75039-5508

DOCKET NO. T-00000J-05-0329

**RESPONSE OF COMTEL TELCOM ASSETS LP DBA VARTEC TELECOM
AND EXCEL TELECOMMUNICATIONS (CONTINUED)**

STAFF 2.3 If a surcharge is said to apply to interstate toll charges only, but is also charged by the carrier when the customer makes solely intrastate toll charges, should the surcharge be included in the provider's intrastate tariff filed with the Arizona Corporation Commission and subject to the Commission's rules cited in question 2 above?

See answer to 2.1.

Provided by: Leslie Ellis, Senior Regulatory Analyst
433 East Las Colinas Boulevard, Suite 1300
Irving, Texas 75039-5508

STAFF 2.4 Should a new surcharge applicable to interstate toll calls, but which the carrier charges when solely intrastate toll calls are made, be included in the calculation of the carrier's maximum rate for purposes of A.A.C. 14-2-1110?

See answer to 2.1.

Provided by: Leslie Ellis, Senior Regulatory Analyst
433 East Las Colinas Boulevard, Suite 1300
Irving, Texas 75039-5508

STAFF 2.5 When bundled interstate and intrastate toll packages are offered, are the packages subject to both federal and state statutes, rules and requirements?

Based on the specific details of the packaged offering, both interstate and intrastate rules could apply.

Provided by: Leslie Ellis, Senior Regulatory Analyst
433 East Las Colinas Boulevard, Suite 1300
Irving, Texas 75039-5508